

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
CHATTANOOGA DIVISION**

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SKF USA INC.	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	
CRESWELL RICHARDSON and	:	<b>DECLARATION OF</b>
BOB CRESWELL (an individual).	:	<b>DAN SNYDER</b>
	:	
Defendant.	:	
	:	

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I, DANIEL SNYDER, being duly sworn, do hereby depose and say:

1. I am a registered Professional Engineer and an Engineering Consultant for Plaintiff SKF USA Inc. ("SKF") and have served in this capacity since my retirement from SKF in December 2008. The forty-seven (47) years prior to this, I worked in the bearing industry in various capacities before ultimately retiring from SKF as the Director of Application Engineering in the SKF Industrial Division. Those capacities included design, testing and customer engineering along with various committee activities in bearings standards development. I earned a Bachelor of Mechanical Engineering from the Georgia Institute of Technology in 1968.

2. I was employed by SKF from 1982 to 2008. During that time I advanced through various positions within the engineering department, gaining knowledge and experience of rolling element bearings and rotating equipment for use in a variety of industries. In 1992 I became Director of Engineering for SKF. I served in that capacity until my retirement at the end of 2008.

3. As the Director of Engineering, I was directly involved with SKF's anti-counterfeiting program. My responsibilities included the evaluation and analysis of potentially counterfeit SKF bearings and packaging for bearings. Since my retirement, I have continued to work for SKF as a consultant performing essentially the same duties.

4. In the course of carrying out my duties for SKF I have accumulated extensive knowledge of, among other things, SKF's products and packaging. As the Director of Engineering, I was primarily responsible for the department's role in SKF's anti-counterfeiting activities.

5. On October 29, 2009 I was asked to evaluate the photographs of a shipment of purported SKF bearings received on October 29, 2009. True and accurate copies of the photographs that I was provided are attached hereto as Exhibit A.

6. It is my understanding that the photographs in Exhibit A were taken by an individual at Royal Bearing Inc. ("Royal") in Portland, Oregon. It is also my understanding that the photographs were pictures of pieces of a large shipment of bearings, 4 pallets totaling approximately 9,000 pounds, which had been offered to Royal on October 28, 2009. Royal provided SKF with a copy of the inventory of the shipment that he had been provided by the individual who had offered the shipment of bearings to Royal, Michael R. Calkins ("Calkins"). A true and accurate copy of the inventory provided by Royal is attached hereto as Exhibit B.

7. I was asked to determine whether the bearings depicted in the photographs attached at Exhibit A appeared to be legitimate SKF Bearings. As part of my examination, I examined all markings and identifying markers appearing on the bearings, as well as the packaging in which each bearing was shipped, along with the

overall shipping materials depicted in the photographs. I also cross-referenced the various bar-codes and part numbers depicted in the photographs with SKF records to determine if they accurately reflected the information contained in SKF's database.

8. Based on the photographs, I could identify eight (8) unique part numbers representing four basic bearing types. In addition, the photos included UPC or bar codes for seven (7) of the part numbers. The part numbers were 29434E, 6206-2Z/C3, 22220EK/C3, 7212BECBM, 6005/C3, 6002-2Z/C3, 6019/C3 and 6013-2Z/C3.

9. The photographs of the entire shipment of bearings immediately revealed significant faults which indicated that the shipment did not contain authentic SKF Bearings. In addition to overall manner in which the parts were literally lumped together, the specific boxes were also not legitimate. For instance, SKF does not bulk ship product in decorated boxes such as those shown in the photos attached as Exhibit C. In addition, the SKF logo affixed to these boxes does not comply with SKF's trademark requirements.

10. None of the bar codes depicted in the pictures matched those used by SKF for the indicated part number. In fact, five of the seven bar codes did not match any product in the SKF system.

11. The date codes indicated on the boxes indicated, according to the legitimate SKF date-coding system, that these products were produced between 2005 and 2007. Given this time frame, I was able to make several observations based on the photographs which establish that these bearings are not legitimate SKF Bearings.

12. The bearing depicted in the photo attached at Exhibit D purports to be an SKF bearing part number 29434E. While the box depicted in this photo indicates

that the bearings was "Made in germany", the 29434E was not made in Germany during the time period indicated by the date code on the box. Additionally, the word "Germany" appears with a lower case "g" which is never permitted on authentic SKF packaging.

13. The bearing depicted in the photo attached at Exhibit E purports to be an SKF bearing part number 7212 BECBM. The part shown in this photo purports to be "Made in Germany" as well. However, this part number was not made by SKF in Germany during the time period indicated by the date code on the box.

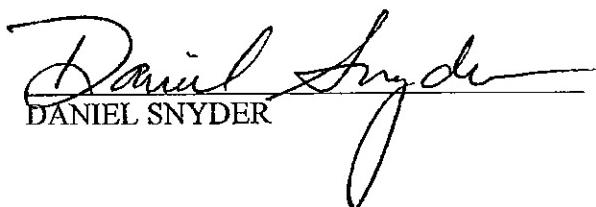
14. The bearing depicted in the photo attached at Exhibit F purports to be a SKF bearings with part number 6005/C3. The information printed on these boxes is insufficient as it lacks several elements required on all legitimate SKF boxes.

15. Based on my review of the photographs I can conclude without doubt that the products depicted therein are not authentic SKF Bearings. A complete analysis of all the bearings comprising the shipment will be necessary to confirm my conclusions as to the entire shipment, but, as for those products depicted in the photographs attached as Exhibit A, I have no doubt that the products depicted do not appear to be authentic SKF Bearings.

16. It is my understanding that the shipment is still being held at the facility of the shipping company, CH Robinson, in Vancouver, Washington. SKF has made arrangements for an SKF representative to do a preliminary in-person inspection of the shipment. The representative will provide a supplemental declaration to confirm my initial conclusions.

I declare that all facts and allegations contained in this Declaration are true to the best of my own knowledge; that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Declaration.

Dated: November 16, 2009



DANIEL SNYDER

A handwritten signature in black ink, appearing to read "Daniel Snyder", is written over a horizontal line. Below the signature, the name "DANIEL SNYDER" is printed in a standard sans-serif font.